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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Michel G. Bergeron, et al. .

Serial No.:

09/989,643

Filed:

November 20, 2001

For:

Species-Specific, Genus-Specific And Universal DNA Probes And Amplification

Primers To Rapidly Detect And Identify Common Bacterial And Fungal

Pathogens And Associated Antibiotic Resistance Genes From Clinical Specimens

For Diagnosis In Microbiology Laboratories

Art Unit:

1655

Examiner:

Frank Lu

Docket No.:

480844.90010

INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR 1.97(b)

Commissioner for Patents Washington, D.C. 20231

Sir:

A list of documents on form PTO-1449 is enclosed. This application is a continuation application of U.S. Application No. 09/297,539 filed May 3, 1999. Therefore, copies of the documents are not being provided as these documents were previously cited by the Applicant or the Examiner in U.S. Application No. 09/297,539 (37 CFR 1.98(d)). This paper is submitted in accordance with 37 CFR 1.97(b) and a fee is not required for consideration of these documents.

Respectfully submitted,

Dated: December **ZO**, 2001

Richard T. Roche

Reg. No. 38,599

Quarles & Brady LLP

411 East Wisconsin Avenue

Milwaukee, WI 53202 (414) 277-5000

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		5,089,386	02/18/1992	Stackel	orandt et al.	C12Q	1/68	09/11/19	87
		5,162,199	11/10/1992	Stern e	t aL	C12G	1/68	05/31/19	90
		5,389,513	02/14/1995	Baquer	o et al.	C12Q	1/68	04/22/19	91
		5,437,978	08/01/1995	Ubukat	a et al.	C12Q	1/68	08/04/19	92
		5,523,205	06/04/1996	Cossari	et al.	C12Q	1/68	10/01/19	93
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		96/18745	06/20/1996	wo		C12Q	1/68		
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		0 761 815	03/12/1997	Europe		C 12N	15/32		
					1	•			
		An, G. and J.D. Frieser coli". Gene, Vol. 12: 33	n (1980). "The nuc 1-39.	eleotide sec	juence of tufB and four	r nearby tRNA sti	ructural genes	of Escheric	chia
		Sin C T	1006) 111						
		Andersson, Siv. G. E. (Vol.: 177(14): 4171-417	1995). "Unusual (75.')rganizatio	on of the rRNA Genes i	n Rickettsia prow	zekii". Jour	nal of Bacte	eriology,
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		Birnboim, H.C. and J.	Doly (1979). Nucl	eic Acids Res	search, Vol. 7(4): 1513	-1523.			
,		Bremaud, L. et al. (1999	5). "Genetic and a	molecular an	alusia of the ADNA A. C				
		Bremaud, L. et al. (1999 aurantiaca". Nucleic Ad	ids Research, Vo	l. 23(10): 173	37-1743.	s operon of the	myxobacterius	n Stigmat	elia
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•EXAMINER	81	tle, Date, Pertinent Pages, Etc.)	
INITIAL	Brisson Mel, A. et al. (1988). "Evidence for Natur		Cocci to Escherichia coli" Journal
	Bacteriology, Vol. 170(4): 1739-1745.	and the first of the Gram-1 oskive	Cocci to Eschentina con . Journal
}			ਰ ਸ
	Carlin, N. I. A. et al. (1992). "Monoclonal Antibod the tuf Gene in Mycobacterium tuberculosis". Infe	ies Specific for Elongation Factor Tu	and Complete Nucleotide Sequence o
	the full Gene in Mycobacterium tupercususis. Inte	ection and Immunity, vol. 60(8): 3136-	S142. CEN B C
	Chamberland, S. et al. (1992). "Antibiotic Suscepti Patients Throughout Canada". Clinical Infectious	ibility Profiles of 941 Gram-Negative I Diseases, Vol. 15: 615-628.	63 10 👡
	_		in 2 g
	Croizé, J. (1995). "Les méthodes automatisées d'ide	antification des bastésias à Vanba de 1	28 D
	Tome X, No. 4, 109:113.	entification des dacteries à l'aude de 1	775". La Lettre de Tiniectiologue,
	Dieffenbach, C.W. and G.S. Dveksler, Eds., (1995).	"PCR Primer: A Laboratory Manual	" Cold Spring Harbor Laboratory
	Press, pp. 133-155.	•	
	Dutka-Malen, S. et al. (1992). "Sequence of the van D-alanine:D-alanine ligase-related protein necessar	C gene of Enterococcus gallinarum Bi	M 4174 encoding a
		y for vancourycus resistance . Gene, t	vi. 112; 55-56.
	Fort A. V. and V. C. H. D. J. (1999), HCl.		
į	East, A. K. and K. G. H. Dyke (1989). "Cloning and and Their Expression in Escherichia coli and Staph	i Sequence Determination of Six Stapl ylococcus aureus". Journal of Genera	iylococccus aureus beta-Lactamases I Microbiology, Vol. 135: 1001-1015
	Ehrlich, G.D. et S.J. Greenberg (1994). "PCR-Based	d Diagnosis in Infectious Disease." Bla	ckwell Scientific Publications, nn
	3-18 and 665-687.		pp.
	Emori, T.G. and R. P. Gaynes (1993). "An Overviet Laboratory". Clinical Microbiology Reviews, Vol. 6	w of Nosocomial Infections, Including	the Role of Microbiology
	Daniel Microbiology Reviews, Vol. 0	(4). 440-444.	·
	Evers, S. et al. (1994). "Sequence of the vanB and divancomycin-resistant Enterococcus faecalis V583".	dl genes encoding D-alanine:D-lactate Gene, Vol. 140: 97-102.	and D-alanine:D-alanine ligases in
	Eykyn, S. J. et al. (1990). "The causative organisms	of	
	Chemotherapy, Vol. 25, Suppl. C: 41-58.	or septicaemia and their epidemiology	". Journal of Antimicrobial
	Fani, R. et al. (1993). "Use of random amplified poly	ymorphic DNA (RAPD) for generating	specific DNA probes for
	microorganisms". MolecularEcology, Vol 2: 243-250	0.	
EXAMINER		DATE CONSIDERED	
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	W 2 2 2002 2		1655
*EXAMENER O	OTHER DOCUMENTS (Including Author,		
No.	Fleischernn, R.D. et al. (1995). "Whole-Genom	ae Random Sequencing and Assembly of	"Haemophilus influenade Rd".
			를 가 다
	Flores, N. et al. (1992). "Recovery of DNA from	Agarose Gels Stained with Methylene F	Blue". Biotechniques, 13(2):
	203-205.		
			75 20 S
	Kamia, V. (1994). DATABASE EMPRO. EMBI	L, AC: Z34275.	9/29 02 02 02 02 02 02 02 02 02 02 02 02 02
			8
	Kellogg, D.E. et al. (1994). "TaqStart Antibody: Directed Againsts Taq DNA Polymerase.". BioT	"Hot Start" PCR Facilitated by a Neut	tralizing Monoclonal Antibody
	Directed Againsts 1aq DIAA rulyingi asc Dio 1	techniques, voi 10(0): 1134-1137.	
	1 (1999) Warshing of the Floring	- A VIEW Bioline	70 4.1.1.1
	Koenig, C. et al. (1992). "Analyses of the FlashT Journal of Clinical Microbiology, Vol. 30(2): 342	Track DNA Probe and Uliscreen biolum 32-345.	inescence Tests for Bacteriuria".
	Kwok, S. and S. Higuchi (1989). "Avoiding false	e positive with PCR". Nature, Vol. 339: 7	237-238.
			!
	Lee, H.H., S. A. Morse and O. Olsvik, Eds. (199	97). "Nucleic Acid Amplification Techno	ologies, Annlication to Disease
	Diagnosis". BioTechniques Books, Div. Eaton Pa	ublishing, p. 7.	ingles, whhuesans to ween
			!
	Loechel, S. et al. (1989). "Nucleotide sequence of 17(23): 10127.	f the tuf gene from Mycoplasma genitalis	um". Nucleic Acids Research, Vol.
	Lewin, B. (1990). "Genes IV". Oxford University	rv Press. pp. 497-517.	
		// EF	1
	Ludwig, W. et al. (1994). DATABASE EMPRO.	EMBL, AC: X76863, X76866, X76867, Y	X76871, X76872.
	Monod, M. et al. (1986). "Sequence and Properti from Bacillus subtilis". Journal of Bacteriology,	ties of pIM13, a Macrolide-Lincosamide-	-Streptogramin B Resistance Plasmid
	from Bacillus subtilis". Journal of Bacteriology,	Vol. 167(1): 138-147.	
	Murphy, E. et al. (1986). DATABASE EMPRO.	, EMBL, AC: X03216.	
EXAMINER		DATE CONSIDERED	
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3 TOA PENNS	la Sdt, F.C. et al. , Eds, (1996). "Escherichia col pp. 1432-1457.		ECH CE
with a	ma, T. et al. (1987). "Organization and Codon I a High Genomic G+C Content". Journal of Ba	acteriology, Vol. 169(10): 4770-4777.	0 4 20 TER 160
Ouell	llette, M. et al. (1987). "Precise insertion of antil ence of the OXA-1 beta-lactamase gene". Proc.	biotic resistance determinants into To Natl. Acad. Sci. USA, Vol. 84: 7378-7	n21-like transposons: Nucleotide
Peried	ee, L. et al. (1993). DATABASE EMPRO, EMBI	L, CA: L23125.	
Micro	ing, D. H. et al, Eds. (1993). "Diagnostic Molecu obiology, Washington, D.C. pp.xxi, 51-104.		•
Journ	lo, M. T. et al. (1992). "Detection of Bacteriuria nal of Clinical Microbiology, Vol. 30: 680-684.		
Clinic	orski, R. P. and D. H. Persing (1995). "Molecula cal Microbiology", ASM Press, pp. 130-157.		
Porcel	ella, S. F. et al. (1996). "Identification of an EF- rrhoeae". Microbiology, Vol. 142: 2481-2489.	Tu protein that is periplasm-associate	d and processed in Neisseria
Sambr Press,	orook, J. et al., Éds. (1989), "Molecular Cloning , pp. 1.21-1.52, 9.31-9.62, 10.1-10.70, 11.1-11.61.	g: A Laboratory Manual", 2nd Ed. Co	ld Spring Harbor Laboratory
Sange: 5463-5	er, F. et al. (1977). "DNA sequencing wiht chain 5467.	i-terminating inhibitors". Proc. Natl.	Acad. Sci. USA, Vol. 74(12):
aci ugi	, K.J. et al. (1989). "Isolation, Characterization, inosa". Antimicrobial Agents and Chemothera	epy, Vol. 33(12): 2052-2062.	
Stager Reviev	r, C, E. and J. R. Davis (1992). "Automated Sys ws, Vol. 5(3): 302-3 2 7.	stems for Identification of Microorgan	isms". Clinical Microbiology
EXAMINER	D	DATE CONSIDERED	
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P09B/REV04

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IN TO	Stacke P. and D. G. Maki (1984). "Bacteriuria 431 (1984): 560-564.	in the Cathetrized Patient". The New E	ngland Journal of Medicine, Vol.
	Watson, J. D. et al. (1976). "Molecular Biology of pp. 339-358.	f the Gene", 4th Ed. The Benjamin/Cum	
	York, M. K. et al. (1992). "Evaluation of the auto Gram-Negative Fermentative Bacilli". Journal of	f Clinical Microbiology, Vol. 30(11): 290	ation and Susceptibili Festing of 3-2910.
	Yoshikawa, H. (1996). DATABASE EMPRO, EM		
	You-Xun, Z. et al. (1994). "Cloning, Sequencing, Protein, Elongation Factor Tu, from Chlamydia t	and Expression in Escherichia coli of the trachomatis Serovar F". Journal of Bact	e Gene Encoding a 45-Kilodalton eriology, Vol. 176(4): 1184-1187.
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